

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CURTIS WARNER, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

MIDLAND FUNDING, LLC,  
MIDLAND CREDIT MANAGEMENT,  
INC., and SMITH DEBNAM NARRON  
DRAKE SAINTSING & MYERS, LLP,

Defendants.

**1:18-cv-00727-LCB-LPA**

**CLASS ACTION**

**DEFENDANTS' MOTION FOR EXTENSION OF TIME  
TO REPLY TO PLAINTIFF'S RESPONSE IN OPPOSITION  
TO MOTIONS TO COMPEL ARBITRATION AND TO STAY**

Defendant Midland Funding, LLC ("Midland Funding"), Defendant Midland Credit Management, Inc. ("Midland Credit") and Smith Debnam Narron Drake Saintsing & Myers, LLP ("Smith Debnam") (collectively, the "Defendants") move the Court, pursuant to FED. R. CIV. P. 6(b) and LR 6.1(a), for an extension of time to serve their respective Replies to Plaintiff's Response in Opposition to Motion to Compel Arbitration (D.E. #31) and Affidavit in Opposition to Motion to Stay (D.E. #32), and in support thereof respectfully show the Court that the time originally prescribed for filing and service of such replies has not expired; that Defendants' replies are currently due on or before January 25, 2019; that Defendants have not previously been granted an extension of time for filing of their Replies; that counsel for Defendants consulted with Plaintiff's counsel who has consented to the extension; and that Defendants' counsel needs additional time to prepare their replies.

WHEREFORE, Defendants respectfully pray the Court to issue an order extending the time for filing replies to Plaintiff's Response in Opposition to Motion to Compel Arbitration and

Affidavit in Opposition to Motion to Stay for an additional seven (7) days, up to and including  
**February 1, 2019.**

This the 24<sup>th</sup> day of January, 2019.

TROUTMAN SANDERS LLP

/s/ Danielle K. Greco

Danielle K. Greco, N.C. State Bar No. 30701  
305 Church Street at North Hills, Suite 1200  
Raleigh, North Carolina 27609  
Telephone: (919) 835-4147  
Facsimile: (919) 835-4101  
[danielle.greco@troutman.com](mailto:danielle.greco@troutman.com)

Ethan G. Ostroff (Pro Hac Vice)  
222 Central Park Ave., Suite 2000  
Virginia Beach, Virginia 23462  
Telephone: (757) 687-7541  
Facsimile: (757) 687-1541  
[ethan.ostroff@troutman.com](mailto:ethan.ostroff@troutman.com)

*Attorneys for Defendants Midland Funding, LLC  
and Midland Credit Management, Inc.*

SMITH DEBNAM NARRON DRAKE  
SAINTSING & MYERS, LLP

/s/ Caren Enloe

Caren Enloe, N.C. State Bar No. 17394  
PO Box 26268  
Raleigh, NC 27611  
Telephone: (919) 250-2000  
Facsimile: (919) 250-2124  
[cenloe@smithdebnamlaw.com](mailto:cenloe@smithdebnamlaw.com)

*Attorney for Defendant Smith Debnam Narron  
Drake Saintsing & Myers, LLP*